

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 134-95**

**A BY-LAW TO DESIGNATE A SITE PLAN CONTROL  
AREA ON CERTAIN LANDS ON AIRPORT ROAD  
(R. LALONDE - 1289 AIRPORT ROAD)**

**WHEREAS** the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City", deems it desirable to designate a Site Plan Control Area in the City of North Bay pursuant to Section 41 of the Planning Act, R.S.O. 1990;

**AND WHEREAS** the Council deems it desirable to delegate to the Clerk the authority to enter into an agreement respecting the matters referred to herein;

**AND WHEREAS** Council intends to pass By-law No. 133-95 to rezone the subject lands to a "Residential Multiple Second Density (RM.2)" zone to permit a seven-unit multiple dwelling;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

- 1) That certain parcel of land, composed of the Remainder of Parcel 3637 W&F, Part Lot 17, Concession "A" in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
- 2) No building or structure shall be erected, constructed or placed on the said Site Plan Control Area except in accordance with the location, massing and conceptual design of the buildings and structures set out as Items 1 and 2 on Schedule "B" attached hereto, and which Schedule "B" is hereby approved by the Council provided that:
  - a) a seven-unit multiple dwelling shall be provided and maintained as set out as Item No. 1 on Schedule "B";
  - b) a 6.0 metre wide natural vegetative buffer be provided and maintained as set out as Item No. 2 on Schedule "B".
- 3) As a condition of approval the owners agree that all Offers of Purchase and Sale for any portion of the subject lands located at or above the 28 noise exposure forecast contour shall contain a clause advising prospective purchasers that an airport noise problem exists for these lands. The aforementioned notification shall occur to the satisfaction of and at no expense to the City.
- 4) As a condition of approval, the owners shall register on title, of the subject lands, a clause advising all perspective purchasers that, under certain flow conditions, water pressures may be below pressure levels recommended by the Ministry of the Environment and

Energy. The aforementioned notification shall occur to the satisfaction of and at no expense to the City.

- 5) As a condition of approval of buildings and structures referred to in Section 2 hereof, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an Agreement with The Corporation of the City of North Bay respecting the provision, to the satisfaction of and at no expense to the Municipality of the following matters:
  - a) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveways;
  - b) walkways and the surfacing thereof;
  - c) facilities for lighting, including floodlighting;
  - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;
  - f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 6)
  - a) The Mayor and Clerk are hereby authorized upon the recommendation of the Chief Administrative Officer to enter into, under Corporate Seal, one or more Agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$250.00 upon the owner for preparation and registration of the Agreement.
  - b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act and The Land Titles Act against any and all subsequent owners of the land.
- 7)
  - a) The said Agreement shall be binding on the owner, its successors and assigns.
  - b) The owner shall authorize the City to exercise the provisions of Section 325 of

The Municipal Act, R.S.O. 1980, Chapter 302, as amended in the event of a breach by the owner of a condition of this Agreement.

8) This By-law comes into force and effect upon being finally passed.

READ A FIRST TIME IN OPEN COUNCIL THE 18<sup>TH</sup> DAY OF SEPTEMBER  
199 5.

READ A SECOND TIME IN OPEN COUNCIL THE 30<sup>TH</sup> DAY OF OCTOBER  
199 5.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30<sup>TH</sup> DAY  
OF OCTOBER 199 5.

  
MAYOR

  
DEPUTY CITY CLERK

# NORTH B AIRPORT

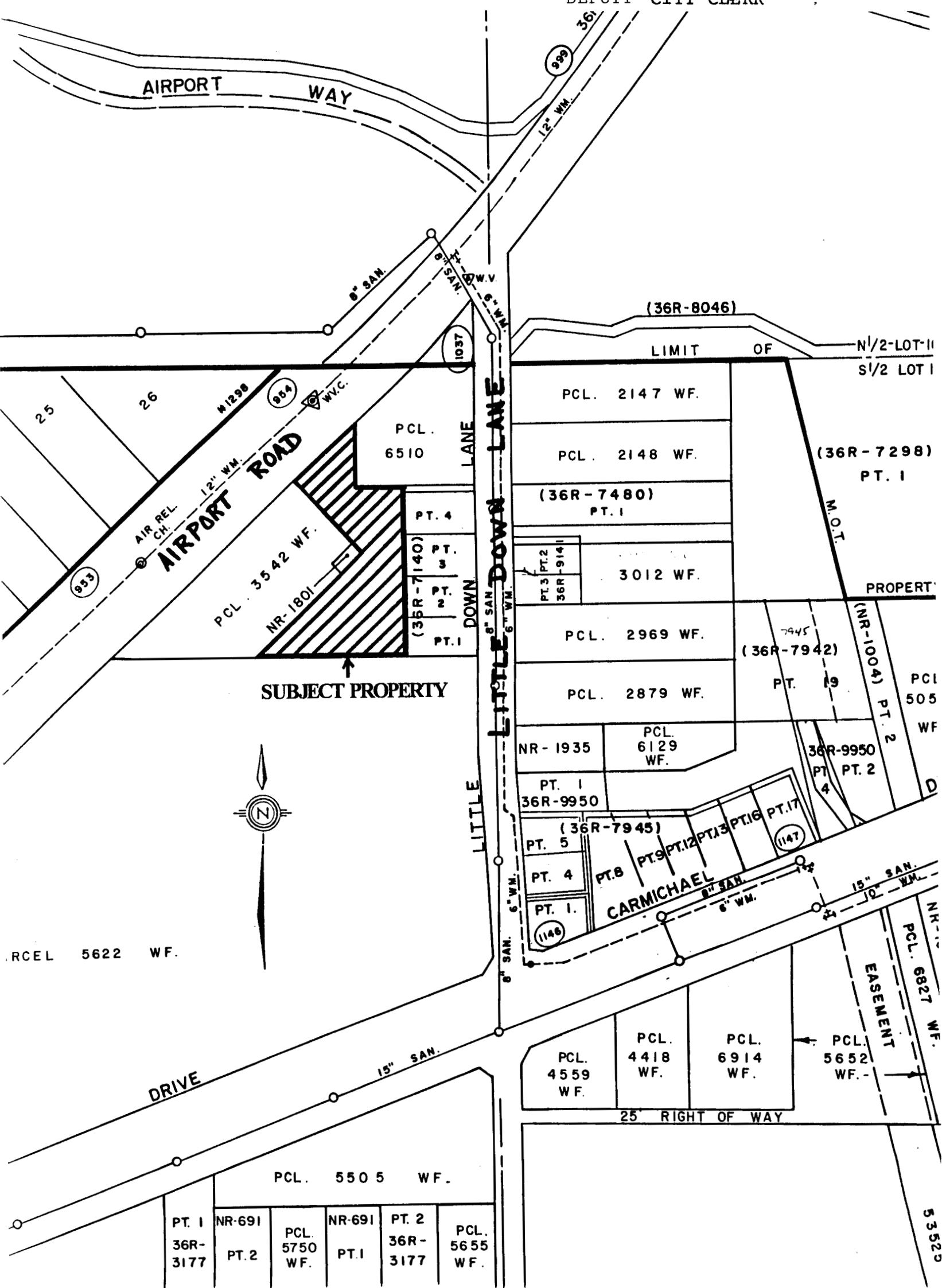
This is Schedule " A "

To By-law No. 134-95

Passed the 30th day of October  
19 95.

*John B. Dawson*  
MAYOR

*B. R. [Signature]*  
DEPUTY CITY CLERK



**SUBJECT PROPERTY**



PCEL 5622 WF.

DRIVE

PCL. 5505 WF.

PT. 1 36R-3177	NR-691 PT. 2	PCL. 5750 WF.	NR-691 PT. 1	PT. 2 36R-3177	PCL. 5655 WF.
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